

Amendment No. 1 to HB0630

Farmer
Signature of Sponsor

AMEND Senate Bill No. 531*

House Bill No. 630

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-5-132, is amended by adding the following new subsections:

(c)

(1) Beginning January 1, 2025, the commissioner shall ensure that no case manager is responsible for more than twenty (20) cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of a child under the care and supervision of the department.

(2) Beginning January 1, 2026, the commissioner shall ensure that no case manager is responsible for more than eighteen (18) cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of a child under the care and supervision of the department.

(3) Beginning January 1, 2027, the commissioner shall ensure that no case manager is responsible for more than fifteen (15) cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of a child under the care and supervision of the department.

(d) The commissioner shall ensure reasonable supervisory ratios to ensure supervisors can provide case managers effective leadership, oversight, and staff support.

(e) The commissioner is authorized to employ:

(1) Programmatic support personnel who do not maintain regular caseloads to provide technical expertise in the delivery of services to any child under the care and supervision of the department;

(2) Special response team personnel who do not maintain regular caseloads but are available to assume cases from case managers to assist in maintaining caseload standards, respond to emergent situations, and guard against interruption in service delivery; and

(3) Administrative support personnel who do not maintain caseloads to ensure the uninterrupted business processes that support the care and supervision of case-carrying staff.

(f) In addition to the annual report required by § 37-5-105(4), beginning January 1, 2024, and by January 1 of each year thereafter, the department must publish on the department's website:

(1) The average daily statewide caseload of case managers; and

(2) The number of case managers whose caseload is above the average set forth in subsection (a) or the limit set forth in subsection (c).

(g) The department may segment published data related to caseload by type of work performed by division consistent with department policies.

(h)

(1)

(A) Beginning January 1, 2025, if the average daily caseload of case managers exceeds twenty (20) cases per case manager for three

(3) consecutive months or if ten percent (10%) or more of case managers

have average daily caseloads exceeding twenty (20) cases per case manager, then the department is considered noncompliant with caseload standards established pursuant to this section.

(B) Beginning January 1, 2026, if the average daily caseload of case managers exceeds eighteen (18) cases per case manager for three (3) consecutive months or if ten percent (10%) or more of case managers have average daily caseloads exceeding eighteen (18) cases per case manager, then the department is considered noncompliant with caseload standards established pursuant to this section.

(C) Beginning January 1, 2027, if the average daily caseload of case managers exceeds fifteen (15) cases per case manager for three (3) consecutive months or if ten percent (10%) or more of case managers have average daily caseloads exceeding fifteen (15) cases per case manager, then the department is considered noncompliant with caseload standards established pursuant to this section.

(2) In such circumstances described in subdivision (h)(1):

(A) The department shall:

(i) Within thirty (30) days of initial noncompliance under this subsection (h), deliver to the governor, speaker of the senate, and speaker of the house of representatives notice of the noncompliance and a summary of emergent efforts being made to rectify the noncompliance; and

(ii) Post, on a monthly basis, on the department's website, the average daily statewide caseload of case managers, until such time as the average daily caseload has been maintained at the applicable limit of cases per case manager for thirty (30) consecutive days; and

(B) The department of human resources shall authorize the use of a number of temporary positions determined by the commissioner of children's services to ensure re-establishment of compliance with subsection (a) or the limit set forth in subsection (c), whichever is applicable.

(i) If, after three (3) consecutive months of non-compliance, the commissioner determines compliance with any of this section's requirements is infeasible or unwarranted, then the commissioner shall provide written notice to the governor and members of the general assembly with a request for necessary resources to re-establish ongoing compliance with subsection (a) or the limit set forth in subsection (c), whichever is applicable.

SECTION 2. Tennessee Code Annotated, Section 37-5-132(a), is amended by deleting the language "The department shall maintain staffing levels of case managers" and substituting instead "Prior to January 1, 2025, the department shall maintain staffing levels of case managers".

SECTION 3. Tennessee Code Annotated, Section 37-1-602(a), is amended by adding the following new subdivision:

() "Person residing in the child's home" includes, but is not limited to, a person who resides in a residential setting with a child who is in the custody of the department;

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.